



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/178,887	10/27/1998	YOSHINORI SUGAHARA	018656-048	5088

7590 05/13/2002

Platon N. Mandros
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
----------	--------------

2624

DATE MAILED: 05/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/178,887

Applicant(s)

SUGAHARA, YOSHINORI

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6,10,11,13-19 and 21-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,10,11,13-19 and 21-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 4/23/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/178,887 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 31-34 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

For at least claims 31 and 33, the specification does not describe the limitations in these claims: “ sending the status of the at least one printer to a plurality of computers connected to the print server without any of the plurality of computers sending a status request”. In contrast, fig. 6 and 7 are described in page 10 –12, the server notifies the status of printer after requesting and from the client and condition from a server.

However, the Examiner cites the prior arts for rejection based on the limitations of the claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1, 11, 13, 22, and 24-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Onaga (US Patent No. 5,862,404).

As to claim 1, Onaga teaches:

a plurality of printers (i.e., 110a to 110e in fig. 1) and a plurality of computers (150a to 150d in fig. 1) connected to the print server (i.e., 120 in fig. 1);

the print server includes a job observation module (i.e., a software within the server) for monitoring and gathering the status of the plurality of printers connected to the print server, and sends the gathered status to the plurality of computers (note: the file server which maintains 3 types of files 'col. 4, lines 41-42' included in a single file having information regarding all the output devices 110 in LAN 'col. 4, lines 55-58', and which provides to all of workstations 150 'col. 6, lines 26-32');

each of computers includes a status monitor for displaying the status (col. 6, lines 33-36).

As to claim 11, Onaga teaches the method is performed by the apparatus claims 1 as indicated above.

As to claim 13, Onaga teaches there inherently is have a method for designating a particular one of the plurality of printers for a particular print job (note: since there are a plurality

Art Unit: 2624

of printers in the network, there inherently is have a method for designating a particular one of the plurality of printers for a particular print job).

As to claim 22, due to the similarity of this claim to that of claim 1, this claim is rejected as the reason applied to claim 1.

As to claims 24-26, Onaga teaches that the printer server sends the gathered status to each of the plurality of computers simultaneously (col. 4, lines 60-62 and col. 6, lines 31-33).

As to claims 27 and 29, Onaga teaches:

A plurality of computers (150s in fig. 1) connected to at least one printer (110 in fig. 1) via the printer server (120 in fig. 1);

The print server includes a job observation module for monitoring the status of the at least one printer connected to the print server, and sends the status to the plurality of computers each time the status of the at least one printer changes (note: the file server which maintains 3 types of files 'col. 4, lines 41-42' included in a single file having information regarding all the output devices 110 in LAN 'col. 4, lines 55-58', and which provides to all of workstations 150 'col. 6, lines 26-32'. Furthermore, in col. 5, lines 2-5 and col. 6, lines 44-47, the status of the output devices are always updated to all of workstations, thus, the server provides the status of all of the output devices to users each time the status of the at least one printer changes).

Each of the computers includes a status monitor for displaying the status (col. 6, lines 33-36).

As to claims 31 and 33, Onaga teaches:

The print server includes a job observation module (i.e., a program within the server) for monitoring the status of the at least one printer connected to the print server, and sends the status

Art Unit: 2624

to the plurality of computers without receiving a status request from any of the plurality of computers (note: the file server which maintains 3 types of files 'col. 4, lines 41-42' included in a single file having information regarding all the output devices 110 in LAN 'col. 4, lines 55-58', and which provides to all of workstations 150 'col. 6, lines 26-32'. Furthermore, in col. 5, lines 2-5, the status of the output devices are always updated to all of workstations, thus, the server provides the status of all of the output devices to users without receiving a status request from any of the plurality of computers);

Each of the computers includes a status monitor for displaying the status (col. 6, lines 33-36).

As to claims 28, 30, 32 and 34, Onaga teaches that there is a plurality of printers (110s in fig. 1) connected to the print server (130 in fig. 1).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claim 1 and 11 above, and Webb et al. (US Patent No. 5,727,135).

As to claims 4 and 14, Onaga teaches every feature in claims 1 and 11 as indicated above except for postpone a particular print job by a user of one of computers.

Webb teaches means for a user of one of the plurality of computers to postpone a particular print job (col. 2, line 58).

It would have been obvious to modify the monitor of Onaga for postpone a particular print job by a user of one of computers as taught by Webb. The suggestion for modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Webb because Webb provides an optional object displayed in the window including the object for postpone a particular print job by a user. Such modification would allow the system of Onaga to control the time for print jobs to the available printer.

8. Claims 6 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claim 1 and 11 above, and Hisatake (US Patent No. 5,669,040).

As to claim 6, Onaga teaches the features in claim 1 above.

However, Onaga does not teach a waiting time for the printer which is displayed in the status monitor.

Hisatake teaches the status monitor of each of the plurality of computers includes means for displaying an operating condition in which a waiting time for the printer that is displayed in the status monitor (U32 and U16 in fig. 14).

It would have been obvious to have modified the display means of Onaga for displaying a waiting time as taught by Hisatake. The suggestion of modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Hisatake because Hisatake provides more status options displayed in the window including the waiting time. Such modification

Art Unit: 2624

would allow the system of Onaga to control the time of the new print jobs to the available printer.

As to claims 15-16, the combination of Onaga and Hisatake teaches the method is performed by the apparatus claim 6.

9. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claim 11 above, and Suzuki et al. (US Patent No. 6,213,652).

As to claims 17-19, Onaga teaches the features in claim 11 above.

However, Onaga does not teach exchanging registration request and response between the computers and the print server

Suzuki teaches the computers and the print server exchange registration request and response (col. 9, lines 29-60).

It would have been obvious to have modified the system of Onaga for exchanging the registration signal between the hosts and the print server as taught by Suzuki. The suggestion of modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Suzuki because Suzuki provides the password option that allow the clients to check their print job status. This above feature would modify the system of Onaga in order to increase the security of their system.

10. Claims 10, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claims 1, 11 and 22, and Hamazaki (JPO Patent No. JP409212313A).

Art Unit: 2624

As to claim 10, Onaga teaches the feature in claim 1 above.

However, Onaga does not teaches the print server includes means for calculating a waiting time for availability of each of the plurality of printers.

Hamazaki teaches the print server includes means (i.e., a print time estimation part 109 calculates the estimated time of every print job) for calculating a waiting time for availability of the printer (See Solution).

It would have been obvious to have modified the print server of Onaga for including calculator calculates the waiting time of print jobs in a server as taught by Hamazaki. The suggestion of modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Hamazaki because Hamazaki provides that a print time estimation part for calculates the estimated time of every waiting print job. Such modification would allows the system of Onaga to control the time of the new print jobs to the available printer.

As to claim 21, the combination of Onaga and Hamazaki teaches the methods are performed by the apparatus claim 10 as indicated above.

As to claim 23, due to the similarity of this claim to that of claim 10, this claim is rejected as the reason applied to claim 10.

Response to Arguments and Amendment

Applicant's arguments with respect to claims 1, 4, 6, 10-11, 13-19, 21-34, have been considered but are moot in view of the new ground(s) of rejection. This action is made **non-final**.

Art Unit: 2624

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
May 04, 2002



JOSEPH MANCUSO
PRIMARY EXAMINE